

**APPROVED**  
**MINUTES OF THE REGULAR MEETING OF THE**  
**ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY**  
**Wednesday, October 1, 2008**

**2-B**

**The meeting convened at 7:36 p.m. with Chair Johnson presiding.**

**1. ROLL CALL**

Present: Chair Beverly Johnson  
Boardmember Doug deHaan  
Boardmember Frank Matarrese  
Boardmember Marie Gilmore  
Vice Chair Lena Tam

**2. CONSENT CALENDAR**

2-A. Authorize Execution of a No-Cost Sublease for Alameda Development Corporation at Alameda Point.

**Member Gilmore motioned approval of the Consent Calendar, seconded by Member Tam, and passed by the following voice votes: Ayes – 5, Noes – 0, Abstentions – 0.**

**3. REGULAR AGENDA ITEMS**

**3-A. Approve the Executive Director's Recommendation Regarding Disposition of the Notices of Interest for the Homeless Accommodation/Public Benefit Conveyances for the North Housing Parcel and Authorize the Executive Director to Negotiate the Required Legally Binding Agreement**

Debbie Potter, Base Reuse and Community Development Manager, gave a brief overview of the item, stating that in November 2007, the Navy declared the North Housing Parcel, an additional 42 acre parcel, as surplus. The ARRA, as the Local Reuse Authority (LRA) is charged with conducting the federal screening process, a mandated step before the Navy can dispose of property. Three Notice of Interests (NOIs) and two requests for Public Benefit Conveyances (PBCs) were reviewed in early September. The NOIs were analyzed against a number of criteria including what project was being proposed, how well the project met unidentified needs of homeless needs assessment, financial feasibility, and the organization's capacity to carry out the project. One NOI from the East Bay Asian Local Development Corporation (EBALDC), didn't meet the threshold requirement and was notified that they did not meet screening process. Of the remaining two NOIs, the evaluation committee does not recommend moving forward with the NOI received from Alameda Point Collaborative (APC) and Building Futures with Women and Children (BFWC), to provide location for the Midway Shelter, in the event it loses its lease where currently located. There is a path forward to working with Navy on the existing location of the shelter, which the Navy has committed to in writing to retain midway shelter in current location. Also, the 42-acre site was not an appropriate location for a multi-service center, which should be in central location accessible by public transit.

The committee is recommending the NOI received from the City Housing Authority, APC, and BFWC for 120 units of permanent supportive housing for formerly homeless people, with the recommendation to move forward at 90 units rather than 120 units.

The two PBCs received were from the City's Recreation and Park department and from Habitat for Humanity for self-help housing. We are recommending the PBC from Rec and Park, and will indicate our support for Habitat for Humanity for 20 to 30 units of self-help housing. The Habitat for Humanity PBC is approved by the federal housing agency, HUD; and the Department of Interior would approve the Rec and Park PBC.

The next step is to begin negotiating a Legally Binding Agreement (LBA). The LBA is an agreement document that goes forward to HUD, along with our amendment to the Community Reuse Plan (Reuse Plan), HUD reviews the Reuse Plan and makes the ultimate determination of how well it meets the needs of homeless accommodation. We are scheduling two community meetings in November, on the 3<sup>rd</sup> with the Planning Board, and on Nov. 24<sup>th</sup> on the amendment to the Reuse Plan, and draft LBA at its Dec. 3 meeting. The statutory requirement is to get everything to HUD in December.

Member Matarrese asked how HUD weighs different factors during their evaluation of the proposals. Ms. Potter explained that typically, the screening process regulations are broadly drafted in order to give local jurisdictions a lot of leeway and opportunity for the Reuse Plan to meet their needs. What they are looking for is a balance of homeless accommodation, and what they call "other community goals", in terms of job generation, economic development, housing, and open space. Member Matarrese asked if there is a previous process which we were involved in. Ms. Potter replied that the 1996 Community Reuse Plan was the last time we were involved in that process. Member Matarrese informed staff and the Board that he just received a letter from the Department of Toxic Substances Control (DTSC) regarding the remediation of site where the Midway Shelter is located. The letter informed of DTSC's plan to evaluate the impact of removing viscous material and widespread contaminated material from that site. Staff will follow-up.

Chair Johnson called public speakers. Doug Biggs, Interim Executive Director of the APC spoke in support of the city's recommendation. He discussed the homelessness crisis in today's economy. Liz Varela, Executive Director of the BFWC, supports Doug Bigg's comments, and appreciates the City's recommendation on the BFWC NOI and its efforts of relocating the Midway Shelter.

Member deHaan asked staff to give a background on the remediation requirements and how the Navy is going to address that. Ms. Potter explained that the south east corner of the North Housing parcel, there is a plume which extends to that area and will be remediated. The Navy has started remediation of the plume, and we made it clear when we put out the request that there is an environmental issue. None of the proposals we received asked for property anywhere near that site. There has been prior time-critical removal that has all been completed. Ms. Potter added that there was no removal under hardscapes or roads, so anyone who will develop that site has to take that in consideration.

Member Matarrese expressed concern that we should not move forward where uncalculated liability for any unremediated land is passed on to any future to non-profit.

**Member Matarrese motioned to provide direction that in the Community Reuse Plan and in the negotiations of the LBA we include disclosure of significant liability of uncharacterized contamination under hardscape and contamination beyond two feet, and that we have these LBAs come back to ARRA. The motion was seconded by Member deHaan and passed by the following voice votes: Ayes – 5, Noes – 0, Abstentions – 0.**

### **3-B. Report on Restoration Advisory Board Comment Letter on Installation Restoration Site 1.**

Ms. Potter summarized that at the ARRA meeting on September 10, the Board received several letters regarding Site 1. Staff was directed to work with the environmental consultant, Dr. Peter Russell, to prepare a response to RAB letters. The ARRA's position is that land fill should be dug up and hauled off, this position has been consistent during the public comment process, which is not concluded. A final draft Record of Decision (ROD) is due on Oct. 28th, which will give us further opportunity to provide comments on the final draft ROD. However, as all of this work has been going on, the results of the additional trenching did not reveal waste, so the sense is that there is no longer a landfill at Site 1. We would like to send a letter to the Navy requesting they do a little more work to determine whether a land fill is still present at Site 1. The Navy began remediation on groundwater contamination.

Member Matarrese reminded staff that the original concern expressed was, not that there was a landfill, but that it was uncharacterized and unknown. He wants to make sure all contaminated materials are removed, and inert ones remain in place. Ms. Potter stated that we must go through the CERCLA process, and that the time-critical removal was for the material down to two feet. Member Matarrese asked how Site 1 could be closed if there is still objectionable material there. Ms. Potter responded by stating that the work effort and investigation as part of IR Site 32 work includes going further than two feet, and the moving of the materials allows the changing of the boundaries of the IR sites and what they are studying. Member Matarrese would like a risk assessment provided to the City with anticipated development in mind – to build a case for the ultimate price tag for the property, i.e., if the property goes to auction, the contamination status would affect the price.

There were two speakers on this item. James Leach, RAB member for 9 years, is there voluntarily because they are experts and have done clean-up and provide oversight to a high degree. George Humphreys, Co-Chair of the RAB, commented on Dr. Russell's evaluation of the Site 1 issue.

**Member Matarrese motioned to accept the report with future reports to include a risk assessment of the significant issues being discussed from a technical standpoint. The motion was seconded by Member deHaan and passed by the following voice votes: Ayes – 5, Noes – 0, Abstentions – 0.**

Ms. Potter discussed two additional recommendations included in the staff report; first was the request for authorization to request that the Navy further explore issue of whether there is still a landfill, and second, that staff be given authorization to prepare and send a letter on the draft final ROD. Since there is no opportunity to provide back to ARRA before it's sent, Member Matarrese suggested it come back to the Board at a the second Council meeting in November (November 18).

**Member Matarrese motioned to approve the two additional recommendations, seconded by Member deHaan and passed by the following voice votes: Ayes – 5, Noes – 0, Abstentions – 0.**

## **4. ORAL REPORTS**

### **4-A. Oral report from Member Matarrese, Restoration Advisory Board (RAB) representative.**

**- Highlights of September 4 Alameda Point RAB Meeting.**

Member Matarrese stated that the next RAB meeting is tomorrow night and the minutes from the last meeting have been presented.

**5. ORAL COMMUNICATIONS, NON-AGENDA (PUBLIC COMMENT)**

(Any person may address the governing body in regard to any matter over which the governing body has jurisdiction that is not on the agenda.)

There was one speaker, Bill Smith, who spoke about various topics.

**6. COMMUNICATIONS FROM THE GOVERNING BODY**

Member deHaan asked if there was an update on the GSA property behind Foster Freeze. Ms. Potter informed him that staff will get an update and provide it to the City Manager as an Off-Agenda item.

Member Matarrese stated that the Board has received a stack of documents from SunCal, but has not seen a document that fits the description of a Business Plan. He requested that staff ask SunCal for a business plan. David Brandt, Deputy Executive Director, affirmed Member Matarrese's request.

**7. ADJOURNMENT**

**Meeting was adjourned at 9:12 p.m. by Chair Johnson.**

Respectfully submitted,

A handwritten signature in cursive script, reading "Irma Glidden".

Irma Glidden  
ARRA Secretary